

Joseph A. Boyle
Vincent P. Rao
Steven J. Moore
James M. Moriarty
KELLEY DRYE & WARREN LLP
200 Kimball Drive
Parsippany, New Jersey 07054
(973) 503-5900
Attorneys for Defendant
Zydus Pharmaceuticals USA, Inc. and
Cadila Healthcare Limited

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

TAKEDA PHARMACEUTICAL
COMPANY LIMITED, TAKEDA
PHARMACEUTICALS NORTH
AMERICA, INC., TAKEDA
PHARMACEUTICALS LLC,
TAKEDA PHARMACEUTICALS
AMERICA, INC., and ETHYPHARM,
S.A.,

Plaintiffs,

v.

ZYDUS PHARMACEUTICALS USA,
INC. and CADILA HEALTHCARE
LIMITED,

Defendants.

CIVIL ACTION NO:
3:10-CV-01723-JAP-TJB

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Defendants Zydus Pharmaceuticals USA, Inc. and Cadila Healthcare Limited (collectively “Defendants”) hereby appeal to the United States Court of Appeals for the Federal Circuit from the Final Judgment and Injunction entered in the above-captioned action on May 7, 2013 (D.I. 346), and each and every part thereof, and from all other orders, rulings, findings and conclusions adverse to Defendants or in favor of Plaintiffs prior to entry of Final Judgment, including but not limited to: the District Court’s claim construction rulings and denial of Defendants’ Motion for Reconsideration of certain of those rulings (D.I. 113; 114; 130); the District Court’s denial of Defendants’ Motions *in Limine* (D.I. 317); all orders and rulings made during the trial in March 2013 and April 2013; and the Opinion dated May 7, 2013 (D.I. 345).

Dated: May 9, 2013

KELLEY DRYE & WARREN LLP

By: /s/ Vincent P. Rao II

Joseph A. Boyle

Vincent P. Rao II

Steven J. Moore

James M. Moriarty

200 Kimball Drive

Parsippany, New Jersey 07054

(973) 503-5900

*Attorneys for Defendants Zydus
Pharmaceuticals USA, Inc. and Cadila
Healthcare Limited*

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2013, I caused to be served a copy of the foregoing Defendants Zydus Pharmaceuticals USA, Inc.'s and Cadila Healthcare Limited's Notice of Appeal on each interested party in this action in accordance with the electronic filing procedures of the United States District Court for the District of New Jersey via ECF and email on the following:

Mark H. Anania
John E. Flaherty
Carissa L. Rodriguez
Jonathan M. H. Short
Elina Slavin
Ravin Patel
MCCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102

Philippe Y. Riesen
HOGAN LOVELLS HORITSU JIMUSHO
Gaikokuho Kyodo Jigyo
15th Floor Daido Seimei
Kasumigaseki Building

1-4-2 Kasumigaseki
Chiyoda-ku
Tokyo 100-0013, Japan

Eric J. Lobenfeld
Arlene L. Chow
Peter Noh
Takashi Okuda
Bonnie Chen
HOGAN LOVELLS US LLP
875 Third Avenue
New York, New York 10022

Dated: May 9, 2013

/s/ Vincent P. Rao II
Vincent P. Rao II